

Planning Committee

A meeting of Planning Committee was held on Wednesday, 16th March, 2022.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Mick Stoker(Vice-Chair), Cllr Carol Clark, Cllr Lynn Hall, Cllr Eileen Johnson, Cllr Steve Matthews, Cllr Sally Ann Watson (Sub Cllr Tony Riordan), Cllr Andrew Sherris, Cllr Marilyn Surtees, Cllr Mrs Sylvia Walmsley, Cllr Bill Woodhead MBE.

Site Visit 15th March 2022

Cllr Norma Stephenson O.B.E(Chairman), Cllr Mick Stoker(Vice-Chair), Cllr Lynn Hall, Cllr Steve Matthews, Cllr Andrew Sherris, Cllr Marilyn Surtees, Cllr Sally Ann Watson, Cllr Steve Walmsley Cllr Sylvia Walmsley,

Officers: Julie Butcher, (HR, L&C), Stephanie Landles (DA&H), Joanne Roberts (D o CS&T), Elaine Atkinson, Simon Grundy, (D o F,D&BS), Sarah Whaley (MD)

Site Visit 15th March 2022

Julie Butcher, (HR, L&C), Stephanie Landles (DA&H), Martin Parker (D o CS&T), Kieran Campbell, Simon Grundy, (D o F,D&BS)

Also in attendance: Applicants Agents and Members of the Public

Apologies: Cllr Dan Fagan, Cllr Paul Kirton, Cllr Tony Riordan, Cllr Steve Walmsley

P 58/21 Evacuation Procedure

The Evacuation Procedure was noted.

P 59/21 Declarations of Interest

Councillor Sally Ann Watson declared a Non-Registerable interest in relation to item 21/2474/COU 117 High Street, Norton, TS20 1AA. Cllr Sally Ann Watson was a Member of Ingleby Barwick Town Council and following the site visit to the 117 High Street Norton, it became apparent that one of the objectors to the application was the Administration Clerk to Ingleby Barwick Town Council. Cllr Watson left the room and did not vote whilst the item was considered.

P 60/21 Draft minutes from the Planning Committee meeting which was held on 19th January 2022

Consideration was given to the Planning committee minutes which were held on 19th January 2022 for approval and signature.

RESOLVED that the minutes be approved and signed by the Chair as a correct record.

P 61/21 21/2474/COU 117 High Street, Norton, TS20 1AA Application for change of use of part of the rear garden area to provide outdoor seating area to include 1.8m high fence to rear in association with 117 High Street

Prior to the meeting Members visited the site.

Members originally considered this application at the Planning Committee meeting, which was held 16th February 2022, however the application was

deferred for a committee site visit to take place. The report had also been updated to reflect the change in the number of covers and to also address the comments which were heard at the committee meeting.

For the avoidance of doubt Members had been informed that all that was under consideration as part of this application was the external seating area. Matters relating to the existing operations such as cooking odours, noise from within the building, litter etc... were not for consideration as part of this application.

The application sought planning consent for the change of use of the existing rear garden area to provide an external seating area for 24 covers in association with the café/restaurant use at 117 High Street, Norton. No physical development was proposed to the property, although an approximately 1.8-metre-high close boarded fence had been erected, demarcating the rear boundary of the seating area from the remaining rear garden area and where wood chippings had been laid to ground.

The consultees that had been notified and the comments that had been received were detailed within the main report.

Neighbours were notified and the comments received were detailed within the main report.

The planning policies and material planning considerations that were relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that given the nature of the proposed development, associated with the existing café/restaurant, where the external area would only operate during 'day-time' hours, it was considered that the proposals would not lead to any significant levels of noise and disturbance, which would result in an unacceptable relationship for the occupiers of the surrounding neighbouring dwellings.

Subject to the recommended conditions, the proposed development was considered to be acceptable in planning terms and would comply with paragraph 130 and 180 of the National Planning Policy Framework and local planning policies SD8 and EG2 and consequently the recommendation for approval.

The Chair agreed that photographic evidence provided by a local resident could be distributed to Committee Members for consideration. The photographs depicted a mother duck and her ducklings walking from a local resident's garden to Norton Duck Pond.

Objectors attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- Residents from a neighbouring property where there was no gap between their home and the application site stated that they would be severely impacted in terms of daily living and quality of life should the application be approved.
- Customers who used the outside seating area at the front of the application site, would smoke, as well as moving café chairs closer to residents' properties

creating noise and disturbance, if the rear garden gained approval there would be no let up for residents at both the front and rear of their properties.

- Noise disturbance from the cafe's kitchen appliances was a current issue.
- Safeguarding concerns were raised relating to children in neighbouring properties, such as children's bedrooms being visible from the rear of the premises as well as children being exposed to adult conversations.
- Neighbours would no longer be able to relax and enjoy their own gardens and would be subject to second-hand smoke as well as noise disturbance.
- The 1.8-metre-high close boarded fence which had been erected would not mitigate against residents' concerns, and some felt that the fence was not in line with standard guidelines.
- Local amenity would be impacted including overshadowing, loss of light, impact on trees and wildlife, adverse effect on highways in terms of parking and increased volume of traffic, uncontained noise, increased smells, and a lack of privacy.
- Concerns were raised in terms of restricted access for Emergency Vehicles.
- Rather than look at the rear garden to increase the number of covers, suggestions were made that the Applicant could have looked at alternative options inside the property to improve business.
- Previous removal of trees by the Applicant had had a devastating effect on wildlife, particularly bats which should have been protected. In addition, a neighbouring property which backed onto the café garden could now see the cafes kitchen since the trees had been cut down.
- In terms of local economic benefits, the café was only offering 2 additional part time staffing positions.
- One resident explained that when the café as in previous ownership, refuse from the café had caught fire and had spread to the residents garden fence.
- Dropped food in the garden would attract vermin.
- Member's attention was drawn to the photographs which had been distributed earlier showing a mother duck and her ducklings walking to Norton Duck Pond from a local resident's garden. The pictures had been taken in April 2021 and it was felt that future nesting would be disturbed should the garden gain planning approval. March to July was a stressful time for female ducks during which time, they needed peace in order to lay successfully.
- An objector from a neighbouring property explained that old Victorian drains ran under his property which had been blocked from the café in the past and had resulted in his garden being dug up to address the issue. The Objector expressed he did not want this to happen again however feared this could happen as he felt there would be a lack of toilet provision if the number of covers were increased.

- Concerns were also raised relating to the café posing a fire hazard to neighbouring properties.

Ward Councillor Lisa Evans and Ward Councillor Steve Nelson attended the meeting and were given the opportunity to make representation. Their comments could be summarised as follows:

- Residents had contacted Ward Councillors via ward surgeries, e mails, site visits etc and had explained in detail their concerns.

- Residents' concerns relating to increased traffic due to the additional covers was a real issue as well as additional parking and traffic safety concerns, particularly on Mill Street. There would be a serious loss of amenity particularly in respect to noise and loss of privacy. Neighbours had complained that they had heard voices from the rear garden from 5 visitors, which would be a lot worse should the application be approved for 24 covers.

- There was no reference made to how many tables there would be in the rear garden, and neither was there any reference to where they would be sited in proximity to neighbouring properties.

- The Café would open at 10:00 am and continue all day with no let up for residents. Would Members want this next to their homes?

- The recently erected fence was not good enough to mitigate against residents' concerns.

- A previous Planning Application for 113 High Street, Norton had been refused due to impact on traffic and loss of amenity. Those same reasons should be applied to the proposed application.

- Café Maison was a well-run business and added to the vibrancy of the High Street, however not with a café garden.

The Applicant attended the Committee meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- In terms of issues raised relating to drainage the Applicant explained that he was an experienced civil engineer and stated that the drains would not be affected by the additional covers.

- The lack of toilet facilities was not a reason to refuse. There would be 4 toilets for customer and a further 2 for staff with plans to improve the facilities.

- Where concerns had been raised regarding the risk of a fire breaking out, the rear of the café was previously wasteland with no escape route, the current situation was that the fire safety position was now improved with the rear garden opening to Mill Street.

- The Committee heard that in terms of support for the proposed application, the café had gained over 300 customer signatures in support of the application, the majority of which were from Norton and the surrounding Stockton area. 2

original objectors had also changed their minds in support of the application.

- When Planning Officers had highlighted that the proposed 40 covers may cause a problem for local residents the Applicant had reduced this to 24 to try and alleviate residents' concerns however this had been taken as a negative.

- The premises was not a rowdy facility but a family café.

The Applicants Agent attended the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- Many of the issues highlighted had been raised out of fear.

- Noise tests had been carried out relating to one particular resident who had made representation, however there was no evidence of noise near to the resident's property. There was also no evidence that neighbouring residents would not be able to work peacefully in their homes.

- The Applicant had used extreme noise equipment and extreme noise levels when testing and it was concluded that the natural and installed noise barriers were effective.

- In terms of concerns raised relating to safeguarding issues regarding children, there was no possibility that customers could see children in their properties particularly when seated at tables.

- There had been complaints made that one residents' garden had smelt like a chip shop however it was hoped that during the recent site visit, Councillors had noticed there was no such smell.

- The café garden would operate from 10:00am until 5:00pm

- It was hoped that the site visit had allowed Councillors to separate the fear from the real situation.

Officers were given the opportunity to respond to comments/issues raised. Their responses could be summarised as follows: -

- Concerns raised around noise, disturbance, smells etc from the café itself could not be considered as the café was already operational, the only area to be considered by the Committee today was the rear seating area. Officers acknowledged some noise disturbance would be expected from the rear garden, however the level of noise expected was acceptable in planning terms and as detailed within the Officers report, controls would be implemented to ensure this.

- Matters relating to safeguarding of neighbouring children had been noted, however, there was no firm evidence to suggest that patrons of the external seating area would bring any undue risk to the children of the neighbouring properties. Without any such evidence the perception of any impacts of safeguarding would not be sufficient to justify a reason for refusal on these grounds.

- There was no justification to refuse the application on the grounds of overdevelopment as it was only tables and chairs that were being considered.
- Officers explained that the Applicant had followed the correct procedure prior to removal of the Trees.
- As there were no nesting birds on the proposed site, this could not be considered as a reason for refusal.
- Issues highlighted around residents' mental health and wellbeing was not a material planning consideration and could only be considered on amenity which Officers had already taken into account.
- Where reference had been made to a previous application site which had been refused, that application was different, and each planning application was determined on its own merits.
- There were no concerns in terms of fire risk.
- Regarding traffic issues, Norton was considered a sustainable location. The increased use of the café would attract link trips using multiple parking areas. A previous application for a café with 50 covers which had been refused at Planning Committee on the grounds of traffic / parking had been won on appeal with the Inspector highlighting that people attending the café would be less likely to park indiscriminately due to spending more time in the café. Indiscriminate parking tended to be people popping into a shop for milk for example.

Members were given the opportunity to ask questions/make comments. These could be summarised as follows: -

- The site visit had been extremely useful, and some Members appreciated why the Applicant wanted a rear garden café, however it was turning a residential garden into a commercial garden with associated noise and disturbance.
- Clarity was sought as to whether the proposed conditions would still be valid should the Planning Committee refuse the application, but then the application be won on appeal at a later date.
- Members asked if a no smoking condition could be imposed to the rear garden.
- Questions were raised as to whether the application was retrospective as reference had been made to a number of people outside in the rear garden which could be heard by local residents?
- Members queried why the Applicant had undertaken noise tests and Stockton's Environmental Health Team had not?
- Suggestions were made that the rear garden café should only operate 5 days a week to give residents some respite.

Officers were given the opportunity to respond to comments/issues raised. Their responses could be summarised as follows: -

- Officers explained that should the Committee be minded to refuse the application and an appeal was lodged, Officers would recommend conditions however could not guarantee they would be imposed; however, it would be quite likely they would if all parties agreed.
- It would not be possible for Officers to impose a no smoking condition in the rear garden.
- The application was not a retrospective one, the only work that had been carried out at rear of the premise was ground works.
- In terms of sound testing the Environmental Protection Team Manager explained to the Committee that the Applicant did undertake some testing, however Officers were unable to listen to the sound testing as it was not considered scientific enough as there was no proof what equipment and volume was used when the testing was carried out. Without permission, Officers from Environmental Health would not be allowed to test with 20 or 40 people. An assessment could be carried out however this would not be considered very scientific.

A vote then took place, and the application was refused.

RESOVED that application 21/2474/COU 117 High Street, Norton, TS20 1AA, Application for change of use of part of the rear garden area to provide outdoor seating area to include 1.8m high fence to rear in association with 117 High Street be refused for the following reason:

In the opinion of the Local Planning authority the use of the outside area for seating purposes associated with a commercial café use would by virtue of the associated activities result in unacceptable levels of noise and disturbance, nuisance and loss of privacy, to the detrimental to the amenities of the occupiers of the neighbouring properties, contrary to paragraph 130 of the NPPF ad Local Plan Policy SD8 which seek to secure a good standard of amenity for all existing and future occupants of land and buildings

**P
62/21**

**21/3005/FUL
Stockton Sixth Form College, Stockton Town Football Club, Bishopton Road West, Stockton-On-Tees
Application for the installation of 2no prefabricated seating/standing stands, relocation of existing prefabricated seating stand and relocation of existing shipping container.**

Consideration was given to planning application 21/3005/FUL, Stockton Sixth Form College, Stockton Town Football Club, Bishopton Road West, Stockton-on Tees.

The application sought planning consent for the installation of two prefabricated football stands, the relocation of an existing stand and relocation of an existing shipping container at the existing artificial playing pitch at Stockton Six Form College, in association with its use by Stockton Town FC.

The proposed increase in stand capacity was not a result of increased

attendances, but a requirement to meet the minimum level of ground quality standard for step 4 of the football league pyramid. Failure to meet the required standards would result in the relegation of the club from the current division. A supporting letter from the football club was also included with the Officers main report.

The consultees that had been notified and the comments that had been received were detailed within the main report.

Neighbours were notified and the comments received were detailed within the main report.

The planning policies and material planning considerations that were relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that the application site already had an established use as an artificial turf football pitch and ancillary structures, included spectator stands. The only considerations of this application therefore related to the acceptability and any associated impacts of the proposed new stands, the re-located stand, and the relocated cabin.

The proposed development would be largely screened by a large hedge along Oxbridge Avenue and was well set back from the associated street scene of Bishopston Road. From the limited views of these areas, it would be viewed in the context of the existing sports facility and against the backdrop of the Stockton Sixth Form College buildings and would not be highly visible within the street scene.

In terms of the physical impact, the proposed stand structures were considered to be of a limited scale and were located well away from residential properties. It was therefore not considered to have any significant impacts with regards to loss of light, privacy or appearing to be overbearing.

With respect to noise and disturbance, the applicant had provided a noise survey and proposed additional mitigation in the form of acoustic fencing at the south-west of the site. This was considered to be acceptable and there was no firm evidence to suggest proposed stand structures would result in any significant increase in levels of noise to justify a refusal of the application.

In view of the above, it is therefore recommended that the application be approved subject to those conditions set out within the Officers main report.

Objectors attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- It was acknowledged that the football club were successful however it was felt that they had outgrown the current location and should be looking to relocate to a more suitable site.
- A resident from Chivers Court informed the Committee that he could hear the commentator from his home without the added noise of the crowd.
- Concerns were raised relating to insufficient parking at the club as well as the

fact there was only one way out of the car park and the problems this could present should there be a road traffic accident on the exit road.

- The club claimed to be good neighbours however it was felt by some residents that they were not.

- One resident requested whether the expansion of the club could be limited to protect neighbours. The resident highlighted to Members the position of his home in relation to the football ground and explained that he had lived there prior to the all-weather pitches being installed and had watched as the club had expanded with detrimental effect on neighbours from shouting crowds, and demented banging. Most matches were played on a Saturday afternoon when most residents wanted to enjoy their gardens but were unable to do so.

- A request was made that Environmental Health undertake a sound test on big match days due to the level of noise generated and that the noise mitigation featured on the plan be looked at in terms of effectiveness.

- The Football ground which had initially been pitched as a facility for local people was now a football stadium and not for local people.

- It was felt the club just wanted to make more money.

The Chairman of Stockton Football Club attended the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- The success of the club in recent years had gone beyond all expectations. The Club were now playing football across the whole of the North of England.

- The proposed application was a consequence of the club's successes and in order to play at the next level the club must provide additional spectator places as dictated by the Football Association (FA) or face relegation.

- Crowds would not be increased should the application be approved as the additional spectator facilities were simply to afford spectators' shelter.

- The current situation in terms of increased crowds was due to the club's success on the pitch not the infrastructure of the ground.

- Community aspiration and need for the proposed development had not been born out of any individual business but from volunteers and community effort.

- The club's success had shone a positive light on the town and the club as well as all partner organisations, was an asset to the town and played a key part in Stockton residents' lives. The club was well aware of its responsibilities and was looking for solutions which were right for all.

Officers were given the opportunity to respond to comments/issues raised. Their responses could be summarised as follows: -

- In terms of noise Officers explained that this was something that was considered as part of the planning application in terms of impact. Following

residents' complaints pre covid during an FA vase cup final noise tests had been undertaken on match and non-match days. 12 recorded noise levels were taken and there was no perceived impact or disturbance relating to noise as all were below 50 decibels. The Environmental Protection Team Manager also added that following complaints received at the last planning application relation to the football ground, Environmental Health had undertaken a large amount of monitoring to establish the base line in terms of noise and this was carried out on match days with a full crowd at several locations including Chivers Court, the local filling station, and the main road. The findings were compared to non-match days several times to establish that if the wind was blowing in the wrong direction no one was adversely affected. Officers also explained that noise mitigation measures would also be implemented should the application be approved as detailed within the Officers report.

- Where concerns had been raised relating to road traffic issues, the Transport Strategy and Road Safety Manager explained the application had been considered on its own merits. As the application related to the structure of the ground there wouldn't be an expectation of additional traffic. Peak traffic for the application site was outside that of traditional peak traffic periods. Where issues had been raised relating to parking, Officers had checked with enforcement in terms of complaints relating to indiscriminate parking, and there had been no complaints relating to parking, complaints had been received in relation to anti-social behaviour.

Members were given the opportunity to ask questions/make comments. These could be summarised as follows: -

- It was acknowledged that the proposed application was to allow for the continued progression of the club and not crowd demand, however it was important that the necessary mitigation measures were in place in terms of noise.
- Noise from the north side of the ground could be heard at the former Sparks Bakery on match days.
- The Council should now be looking for a new stadium to future proof the club.
- Due to the number of schools, local supermarket, cricket club and football club, it was felt that the Junction at Bishopton Lane was no longer acceptable as there were traffic jams every day.
- Clarity was sought as to the weight of the acoustic fence and there were calls for the best acoustic mitigation to be implemented.
- Since the last complaint Officers were asked to clarify how many complaints had been received from residents relating to noise from the ground.
- Members requested to know what the average gate size at the club was.

Officers were given the opportunity to respond to comments/issues raised. Their responses could be summarised as follows: -

- The Junction at Bishopton Road did not meet criteria for any road safety

intervention; however, Officers were aware of a collision on Bishopton Road although this was still under investigation.

- Since the last recorded complaint only 1 further complaint had been received relating to disturbance however this had been withdrawn as the member of the public decided they did not want to proceed.

- The average gate size was approx. 680, however the maximum attendance the club had seen was New Year's Day when 1200 fans attended.

- The Environmental Protection Team Leader informed the Committee that she was happy to work with the applicant to ensure appropriate acoustic measures were implemented.

- In terms of future proofing the club, Officers explained that discussions had been held with the club in terms of the limitations of the site and that should the club continue to grow an alternative site may need to be considered.

A vote took place, and the application was approved.

RESOLVED that That planning application 21/3005/FUL be approved subject to the following conditions and informative:

01 Approved Plans

The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number	Date Received
SBC0001	7 December 2021
STFC/2021/001 REV 0	7 January 2022
[G] - 190	7 December 2021
[G] TF 01	7 December 2021
STFC/21/002	21 December 2021
10	21 December 2021

02 Acoustic Fencing

Notwithstanding the development hereby approved, prior to the proposed new and relocated stands being brought into use, details of the proposed 3.5-metre-high acoustic fence shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the acoustic fencing shall be carried out in accordance with the approved details and in accordance with the approved proposed site plan STFC/2021/001 (submitted 7 January 2022) to extend the existing acoustic barrier at the south-west of the site. The acoustic fencing shall be retained and maintained for the lifetime of the development thereafter.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.

**P
63/21**

21/2051/REM

Wynyard Village Extension, Phase F, Wynyard Reserved matters application for the access, appearance, landscaping, layout and scale for the erection of 1no dwelling house, detached garage and annexe

Consideration was given to planning application 21/2051/REM, Wynyard Village Extension, Phase F, Wynyard Reserved matters application for the access, appearance, landscaping, layout, and scale for the erection of 1no dwelling house, detached garage, and annexe.

Outline planning consent was granted on 30th January 2017 for the construction of up to 500 houses, Primary School (inc Sport Facilities and nursery, Retail Units (up to 500sqm), Doctors Surgery, Community Facilities, access and associated landscaping, footpaths, and open space (all matters reserved).

This application was a reserved matters application for the access, appearance, landscaping, layout, and scale for the erection of one dwelling and detached annex/ garage. Through the planning process additional information and revised plans had been received.

The consultees that had been notified and the comments that had been received were detailed within the main report.

Neighbours were notified and the comments received were detailed within the main report.

The planning policies and material planning considerations that were relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that the application site benefited from outline permission for a dwelling house. As set out above the subdivision of the plot was considered to be acceptable and as had been demonstrated would result in a comparable form of development which was reflective of the character of the wider area, therefore subject to the recommended conditions as detailed within the Officers report it was considered that the proposed development be recommended for approval.

Objectors attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- Concerns were raised relating to trees which were due to be removed on the development site as it was felt they were protected by a Tree Preservation Order (TPO).
- Assurances were sought that construction would be undertaken considerably as some neighbours had small children.
- The proposed annexe was a concern for one neighbour as it would obscure the view from their home.
- Clarity was sought as to what the chimney on a section of the annex would be

used for and that it may impact on local amenity in terms of loss of light and noise.

- Clarity was also sought as to the height of the building.

Officers were given the opportunity to respond to comments/issues raised. Their responses could be summarised as follows: -

- Officers confirmed which trees would be retained and which would be removed.

- Officers highlighted that a condition had been included for additional landscaping to strengthen the buffer for one of the properties on Beck Close.

- The distance of the annexe from the nearest neighbouring property was approximately 20 metres and there would no impact on privacy as there would be no windows in the side elevation. The flue/chimney was for a wood burner and there was an informative in terms of what fuel could be used.

- A condition had been included relating to construction access to the site.

Members were given the opportunity to ask questions/make comments. These could be summarised as follows: -

- Questions were raised as to whether the annex could be moved closer to the main building.

Officers were given the opportunity to respond to comments/issues raised. Their responses could be summarised as follows:

Officers explained that if the Committee agreed that the annexe should be moved closer to the main property then the application would need to be deferred to a future meeting to enable new plans to be submitted, however it was highlighted that although the annexe was long it was modest in depth and only took a small portion of the boundary, therefore in planning terms the location of the annexe was acceptable.

A vote took place and the application was approved.

RESOLVED that planning application 21/2051/REM be approved subject to the following conditions and informatives below;

01 The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number and Date Received

PL02C 17 February 2022

PL03A 17 February 2022

PL04A 25 February 2022

PL01 30 July 2021

02 Reserved Matters

This approval relates solely to this application for the approval of Reserved Matters and does not in any way discharge condition numbers 9, 10, 11, 12, 15, 16, 18, 20, 23, 24, 26 contained in the Outline Planning Approval reference 13/0342/EIS which still require the submission of specific details and the written approval of the Local Planning Authority.

03 Landscaping Softworks Prior to the above ground construction of the development hereby approved full details of Soft Landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods for all planting outside of the boundary fence, and for tree planting within the private garden. All works shall be in accordance with the approved plans.

All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following completion of the development, and to the satisfaction of the Local Planning Authority.

04 Arboricultural Impact Assessment

The development hereby approved shall be carried out in full accordance with the arboriculture information submitted in the Arboricultural Impact Assessment received by the Local Planning Authority on the 17 February 2022 and shall be adhered to in full. The development shall be subject to tree protection monitoring and site supervision undertaken by a suitably qualified tree specialist.

05 Obscure Glazing Notwithstanding the submitted drawings, the first floor windows on the northern and southern elevations of the development hereby approved, shall be fitted with obscure glazing to at least obscuration factor 4 prior to the occupation and shall be maintained as such for the lifetime of the development.

06 Annexe/Garage The hereby approved garage/annexe/store shall be used as ancillary/incidental accommodation to the use of the main dwelling as denoted on plan ref PL01 as received by the Local Planning Authority on the 30 July 2021. This building shall form and shall remain as part of the curtilage of this main dwelling as a single planning unit and shall be used only by members of the family or persons associated with occupiers of this main dwelling.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

Informative - Not in a Smoke Control Zone

Although the property is not within a smoke control area we would informally request that the occupant complies with the following information in order to minimise the likelihood of complaints regarding smoke emissions: • Burn

authorised fuels- a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/fuels.php?country=e> • Install a DEFRA approved appliance; a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/appliances.php?country=e> • The appliance is to be installed by an approved contractor and certificates of the work to be submitted to the Local Authority.

Informative: British Standards

The following British Standards should be referred to:

- a. BS: 3882:2015 Specification for topsoil
- b. BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations
- c. BS: 8601:2013 Specification for subsoil and requirements for use
- d. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- e. BS: 3998:2010 Tree work – Recommendations
- f. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- g. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- h. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- i. BS: 4043:1989 Recommendations for Transplanting root-balled trees

Informative: Northern Gas The developer is advised to contact Northern Gas Networks prior to any construction works as there may be apparatus in the vicinity of the development.

HEADS OF TERMS There are no requirements to vary the S106 Agreement as a result of this Reserved Matters Application.

**P
64/21**

21/2991/FUL

Bishopton Centre, Marsh House Avenue, Billingham

Erection of new 1.5 storey linked extension to two existing buildings to include external alterations to existing windows and doors of existing buildings. Construction of new Multi Use Games Area, service access area and associated landscaping.

Consideration was given to planning application 21/2991/FUL Bishopton Centre, Marsh House Avenue, Billingham, Erection of new 1.5 storey linked extension to two existing buildings.

The application sought planning permission for the erection of a new 1.5 storey linked extension to two existing buildings to include external alterations to existing windows and doors of existing buildings. Construction of new Multi Use Games Area, service access area and associated landscaping. The Multi-Use Games Area (MUGA) and 'mini-soccer pitch' were to be sited to the southeast of the application site.

The consultees that had been notified and the comments that had been received were detailed within the main report.

Neighbours were notified and the comments received were detailed within the main report.

The planning policies and material planning considerations that were relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that overall, it was considered that the nature and scale of the development was acceptable. It was considered that the development would not have any significant undue impact on the amenity of neighbouring occupiers and would not have a significant detrimental impact on the street scene or character of the area. The proposal was therefore considered to be in line with general planning policies set out on the Development Plan and The National Planning Policy Framework. The application was therefore recommended for approval subject to the conditions outlined within the main report.

Since the main report the Principal Planning Officer informed the Committee that Environmental Health findings showed that no gas mitigation measures were required.

Members were given the opportunity to ask questions/make comments. These could be summarised as follows: -

- Members asked if the MUGA would be open to the community.

Officers were given the opportunity to respond to comments/issues raised. Their responses could be summarised as follows:

- It wasn't clear if the MUGA would be open for the local community as it was part of a local school. There was a similar facility approx. 400 metres from the application site.

A vote then took place and the application was approved.

RESOLVED that planning application 21/2991/FUL be approved subject to the following conditions and informative:

01 Time Period for Commencement The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.).

02 Approved Plans

The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number Date Received

A10977-BGP-00-XX-DRC-52-00101 25 January 2022

A10977-BGP-00-XX-DRC-52-00130 25 January 2022

A10977-BGP-00-XX-DRC-52-00131 25 January 2022

A10977-BGP-00-XX-DRC-52-00135 25 January 2022

A10977-BGP-00-XX-DRC-52-00136 25 January 2022

A10977-BGP-00-XX-DRC-52-00137 25 January 2022

A10977-BGP-00-XX-DRC-90.4-00110 25 January 2022

A10977-BGP-00-XX-DRC-90.4-00111 25 January 2022
A10977-BGP-00-XX-DRC-90.4-00115 25 January 2022
A10977-10-01 3 December 2021
A10977-10-02 3 December 2021
A10977-10-03 3 December 2021
A10977-10-04 3 December 2021
A10977-27-01 3 December 2021
A10977-20-02 3 December 2021
A10977-20-03 3 December 2021
A10977-20-01 3 December 2021
A10977-90-03 3 December 2021
A10977-90-01 3 December 2021
A10977-90-02 3 December 2021
A10977-90-70 3 December 2021
A10977-90-71 3 December 2021
A10977-90-72 3 December 2021
A10977-90-73 3 December 2021

03 Construction Hours

Working hours on site including deliveries to and from the site, shall be restricted to between the hours of 08:00-18:00 on Mondays- Fridays, 09:00-13:00 on Saturdays and at no time on Sundays or Bank holidays.

04 Construction Management Plan

The development hereby approved, shall be built in full accordance with the submitted and approved plans for the phasing and construction at the application site.

05 Flood Risk Assessment

The development permitted by this planning permission shall only be carried out in accordance with the approved "Flood Risk Assessment" dated 3 December 2021 by Billinghamurst George & Partners and the proposed mitigation measures detailed. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

06 Site Drainage The development hereby approved, shall be built in full accordance with the submitted and approved plans for the disposal of foul and surface water.

07 Tree Protection

All works carried out to trees and hedgerows shall be carried out in accordance with the "Arboricultural Method Statement" dated 21 December 2021 by Elliott Consultancy LTD. This must be in close accordance to:

1. BS5837 – Trees in relation to design, demolition, construction and the appointment of a Project Arborist to ensure that on and off-site trees are fully considered during the development process.
2. The tree works detail within Section 5 & 6 of the "Arboricultural Method Statement".
3. No trees shrubs or hedges within the site which are shown as being retained shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior consent in writing of the local planning authority

08 No-dig construction

Prior to the commencement of development, all no-dig construction methods for hard surfacing indicated within the approved plans must be implemented on site.

09 Noise

The development hereby approved, shall be built in full accordance with the Noise Impact Assessment dated 3 December 2021 by Apex Acoustics.

10 MUGA Restricted hours of use

The Multi-Use Games Area (MUGA) hereby approved as detailed on the approved to which this permission relates shall be restricted to the hours of use of 0800 hours - 2100 hours.

11 Energy and Sustainability

Prior to above ground construction, an Energy Statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed accordance with the approved report.

12 Unexpected Land Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.

Informative : Waste Collection There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.

**P
65/21**

**1. Appeal - Mr And Mrs Bates - Handley Cross, Leven Bank Road, Yarm
19/0345/OUT - DISMISSED**

**2. Appeal - Mr J Davison - Tees View, Worsall Road, Yarm
20/1621/CPE - DISMISSED
COSTS - REFUSED**

**3. Appeal - M & P Knowles and McGowan - 342 Norton Road, Norton, TS20
2PN
21/0729/RET - ALLOWED WITH CONDITIONS
COSTS - REFUSED**

- 4. Appeal - Ms Anna Levin - 88 Fairwell Road, Stockton-on-Tees, TS19 7JB
21/1534/FUL - PART ALLOWED PART DISMISSED**
- 5. Appeal - Mr & Mrs Leck - Land East Of 232, Cotswold Crescent,
Billingham
20/2819/FUL - DISMISSED
COSTS - REFUSED**

The Appeals were noted.